

### **REMARKS**

Claims 2-3, 6-7, 11-12, and 13 have been amended. Claims 1, 5, 14-152, 155, and 157-163 have been canceled. Accordingly, claims 2-4, 6-13, 153-154, 156, and 164 are pending in this case.

The Examiner has acknowledged that now-pending claims 2-4 and 6-12 are allowable if rewritten in independent form to include all of the limitations of the base claims and any intervening claims from which they depend. Accordingly, claims 2-4, 6-8 and 11-12 have been so amended.

Claims 2-4 have been amended to include now-canceled independent claim 1. Likewise, claims 6-8 have been amended to include now-canceled independent claim 5. Also, claims 11-12 have been amended to reflect the cancellation of claims 1 and 5. In view of the Examiner's statement of allowability upon amendment of the above-mentioned claims to remove dependency on rejected claims 1 and 5, Applicants respectfully submit the above mentioned claims are in condition for allowance.

Although it is not clear from the office action, Applicants believe that claims 13, 153-154, 156 and 164 have not been rejected because the Examiner states that "all other rejections and objections as set forth in the previous Office Action are withdrawn" and the present Office Action does not otherwise address claims 13, 153-154, 156 and 164. As such, Applicants have not canceled these claims (except for claim 5) as they believe they are allowable.

In the event the failure to address these claims was an oversight by the Examiner, Applicants welcome a teleconference to discuss these claims and potentially authorize an Examiner's amendment.

No new matter is added by any of the aforementioned amendments.

Claims 9-10 have not been amended. The examiner has stated that claim 9 is allowable if rewritten in independent form to include all of the limitations of the base claims and any intervening claims from which they depend. However, claim 9 is an independent claim. Therefore, Applicants respectfully submit claims 9 and 10 are allowable without further amendment since the Examiner has stated that claims 9 and 10 would be allowable so long as they do not depend from a rejected base claim. In view of the Examiner's statement

of allowability, Applicants respectfully request the Examiner allow claim 9 and claim 10 (which depends from claim 9) as previously presented.

### **Objection to Sequence Listing**

The Office Action objects to SEQ ID NO: 266 and SEQ ID NO: 269 “for assigning a different sequence identifier to the same sequence.”

Applicants respectfully submit that SEQ ID NO: 266 and SEQ ID NO: 269 are properly included in the sequence listing and the specification because they identify sequences having different characteristics. SEQ ID NO: 266 identifies amino acid sequence “YDYYPEE wherein at least one Tyrosine residue is sulfated.” *See* April 19, 2005 Amendment at page 6 ¶ 73 and at page 7 ¶ 91 (emphasis added). SEQ ID NO: 269 identifies amino acid sequence “YDYYPEE wherein the first Tyrosine residue in the epitope is sulfated.” *See* April 19, 2005 Amendment at page 40, claim 164 (emphasis added). As such, SEQ ID NO: 266 identifies a more general sulfate of the amino acid sequence and SEQ ID NO: 269 identifies a specific sulfate of the amino acid sequence. As a result, SEQ ID NO: 266 identifies a different sequence from the sequence identified by SEQ ID NO: 269. Applicants, therefore, respectfully submit SEQ ID NO: 266 and SEQ ID NO: 269 are both properly included in the sequence listing and specification. Applicants respectfully request the Examiner withdraw the objection to SEQ ID NO: 266 and SEQ ID NO: 269.

### **Objection to Claim 164**

The Office Action objects to claim 164. As per the arguments discussed above concerning the appropriate listing of SEQ ID NO: 266 and SEQ ID NO: 269, Applicants maintain that the objection is in error. As such, Applicants respectfully request withdrawal of this objection.

### **Rejection of Claim 1 – Anticipation**

The Office Action maintains the rejection of claim 1 for anticipation over Mosesson *et al.* (WO 98/12318) or Muramatsu *et al.* (Peptide Chemistry, 1995, Vol. 32, pp. 297-300) or Hubbell *et al.* (US 2003/0064410). Applicants have canceled claim 1. As such, Applicants

respectfully submit the rejection of claim 1 is now moot. Applicants, therefore, respectfully request withdrawal of the rejection of claim 1.

**Objection to Claims 2-4 and 6-12**

The Office Action objects to claims 2-4 and 6-12 as being dependent upon a rejected base claim. The Examiner states that claims 2-4 and 6-12 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have amended the claims in accordance with the Examiner's instructions. As such, Applicants respectfully request withdrawal of the objection to claims 2-4 and 6-12.

Appl. No. 10/032,037  
Amdt. dated March 9, 2006

**CONCLUSION**

Applicants respectfully request entry of the present claim amendments. It is believed that the application is in condition for allowance and such action is earnestly requested. If, in the opinion of the Examiner, a telephone conference would expedite prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

The Office is authorized to charge any fees that may be necessary for consideration of this paper to Kenyon & Kenyon **Deposit Account No. 11-0600**.

Respectfully submitted,

KENYON & KENYON

Date: March 9, 2006

By: Cassada I. Lavin #48,361  
for Teresa A. Lavenue  
Registration No. 47,737

1500 K Street, N.W.  
Washington, DC 20005  
Telephone: (202) 220-4200  
Facsimile: (202) 220-4201  
Direct: (202) 220-4258